

Economic Development, Trade & Banking Committee

ACTION PACKET

Allan G. Bense
Speaker

Gus Bilirakis
Chair

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Gus Bilirakis (Chair)	X		
Aaron Bean	X		
Dorothy Bendross-Mindingall	X		
Phillip Brutus			X
Faye Culp	X		
Joyce Cusack	X		
Don Davis	X		
Nancy Detert	X		
Michael Grant	X		
Adam Hasner	X		
Charlie Justice	X		
Frank Peterman	X		
John Quinones	X		
Ken Sorensen			X
Trudi Williams	X		
Totals:	13	0	2

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

COMMITTEE MEETING REPORT

Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 69 CS : Exemptions from the Tax on Sales, Use, and Other Transactions

<input checked="" type="checkbox"/> <i>Favorable</i>					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 10 Total Nays: 0					

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1079 : Exemption from the Tax on Sales, Use, and Other Transactions

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 10 Total Nays: 0					

HB 1079 Amendments

Amendment 1 - Technical table amendment

☒ Adopted Without Objection

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

Committee on _____



Date

3/30

Action

A

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No.

1

Bill No.

1079

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on

Quinones

offered the following amendment:

Amendment

on page

2

, line

40

Replace the term "to" to "for."

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1283 : Innovation Incentives

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall		X			
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack		X			
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice		X			
Frank Peterman		X			
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 6 Total Nays: 4					

HB 1283 Amendments

Amendment 1 - Strike all amendment

☒ Adopted Without Objection

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. **HB 1283**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N) A
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Development, Trade &
2 Banking Committee
3 Representative(s) Attkisson offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 288.1089, Florida Statutes, is created
8 to read:

9 288.1089 Innovation Incentive Program.--

10 (1) There is created an Innovation Incentive Program within
11 the Governor's Office of Tourism, Trade, and Economic
12 Development, which is intended to ensure that sufficient
13 resources are available to allow the state to respond
14 expeditiously to extraordinary economic opportunities and to
15 compete effectively for high-value research and development and
16 innovation business projects.

17 (2) As used in this section, the term:

18 (a) "Average wage" means the statewide average wage in the
19 private sector or the average of all private-sector wages and
20 salaries in the county or in the standard metropolitan area in
21 which the project is located as determined by the Agency for
22 Workforce Innovation.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

23 (b) "Cumulative investment" means the total private
24 investment in buildings and equipment made by an applicant under
25 a project approved pursuant to this section.

26 (c) "Director" means the director of the Office of
27 Tourism, Trade, and Economic Development.

28 (d) "Innovation business" means a business expanding or
29 locating in this state that is likely to serve as a catalyst for
30 the growth of an existing or emerging technology cluster or will
31 significantly impact the regional economy in which it is to
32 expand or locate.

33 (e) "Fiscal year" means the state fiscal year.

34 (f) "Jobs" means full-time equivalent positions, as that
35 term is consistent with terms used by the Agency for Workforce
36 Innovation and the United States Department of Labor for
37 purposes of unemployment compensation tax administration and
38 employment estimation, resulting directly from a project in this
39 state. The term does not include temporary construction jobs.

40 (g) "Match" means funding from local sources, public or
41 private, which will be paid to the applicant and which is equal
42 to 100 percent of the award. Eligible match funding may include
43 any tax abatement granted to the applicant under s. 196.1995 or
44 the appraised market value of land, buildings, infrastructure,
45 or equipment conveyed or provided at a discount to the
46 applicant. Complete documentation of match payment or other
47 conveyance must be presented to and verified by the office
48 before transfer of state funds to an applicant. An applicant may
49 not provide, directly or indirectly, more than 5 percent of
50 match funding in any fiscal year. The sources of such funding
51 may not include, directly or indirectly, state funds
52 appropriated from the General Revenue Fund or any state trust

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

53 fund, excluding tax revenues shared with local governments
54 pursuant to law.

55 (h) "Office" means the Office of Tourism, Trade, and
56 Economic Development.

57 (i) "Project" means the location to or expansion in this
58 state by an innovation business or research and development
59 applicant approved for an award pursuant to this section.

60 (j) "Research and development" means basic and applied
61 research in the sciences or engineering, as well as the design,
62 development, and testing, of prototypes or processes of new or
63 improved products. Research and development does not include
64 market research, routine consumer product testing, sales
65 research, research in the social sciences or psychology,
66 nontechnological activities, or technical services.

67 (k) "Research and development facility" means a facility
68 that is predominately engaged in research and development
69 activities. For purposes of this paragraph, the term
70 "predominately" means at least 51 percent of the time.

71 (3) There is created an Innovation Incentive Account
72 within the Economic Development Trust Fund created by s.
73 288.095. Funds allocated in the Innovation Incentive account
74 shall be invested in accordance with s. 17.57, and any interest
75 earned thereon shall be transferred from the Economic
76 Development Trust Fund to general revenue. The total amount of
77 active innovation incentive awards may not exceed the balance
78 remaining in the Innovation Incentive Account.

79 (4) To be eligible for consideration for an innovation
80 incentive award, an innovation business or research and
81 development entity must submit a written application to
82 Enterprise Florida, Inc., before making a decision to locate new
83 operations in this state or to expand an existing operation in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

84 this state. The application must include, but need not be
85 limited to:

86 (a) The applicant's federal employer identification
87 number, unemployment account number, and state sales tax
88 registration number. If these numbers are not available at the
89 time of application, they must be submitted to the office in
90 writing before the disbursement of any payments under this
91 section.

92 (b) The location in this state at which the project is
93 located or is to be located.

94 (c) A description of the type of business activity,
95 product, or research and development to be undertaken by the
96 applicant, including six-digit North American Industry
97 Classification System codes for all activities included in the
98 project.

99 (d) The applicant's projected investment in the project.

100 (e) The total investment, from all sources, in the
101 project.

102 (f) The number of net new full-time equivalent jobs in
103 this state the applicant anticipates having created as of
104 December 31 of each year in the project and the average annual
105 wage of those jobs.

106 (g) The total number of full-time equivalent employees
107 currently employed by the applicant in this state, if
108 applicable.

109 (h) The anticipated commencement date of the project.

110 (i) A detailed explanation of why the innovation incentive
111 is needed to induce the applicant to expand or locate in the
112 state and whether an award would cause the applicant to locate
113 or expand in this state.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

114 (j) If applicable, an estimate of the proportion of the
115 revenues resulting from the project which will be generated
116 outside this state.

117 (5) To qualify for review by the office, the applicant
118 must, at a minimum, establish the following to the satisfaction
119 of Enterprise Florida, Inc., and the office:

120 (a) The jobs created by the project must pay an estimated
121 annual average wage equaling at least 130 percent of the average
122 private-sector wage in the area where the project is to be
123 located or the average private sector wage in the state. The
124 office may waive this average wage requirement at the request of
125 Enterprise Florida, Inc., for a project located in a brownfield
126 area designated under s. 376.80, in a rural city or county as
127 defined in s. 288.106, or in an enterprise zone, when the merits
128 of the individual project or the specific circumstances of the
129 community in relationship to the project warrant such action. A
130 recommendation for waiver by Enterprise Florida, Inc., must
131 include a specific justification supporting the waiver and be
132 transmitted in writing to the office. If the director elects to
133 waive the wage requirement, the waiver must be stated in writing
134 and the reasons for granting the waiver must be explained.

135 (b) A research and development project must:

136 1. Serve as a catalyst of an emerging or evolving cluster;
137 2. Demonstrate a plan for significant higher education
138 collaboration;

139 3. Provide the state, at a minimum, a break-even return on
140 its investment within a 20-year period; and

141 4. Be provided with a one-to-one match from the local
142 community. The match requirement may be reduced or waived in
143 rural areas of critical economic concern or reduced in rural
144 communities, brownfields, and enterprise zones.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

145 (c) An innovation business project, other than a research
146 and development project, must:

147 1.a. Result in the creation of at least 1,000 direct, new
148 jobs at the business; or

149 b. Result in the creation of at least 750 direct, new jobs
150 if the project is located in a rural county or city as defined
151 in s. 288.106 or in an enterprise zone.

152 2. Have an activity or product that is within an industry
153 that is designated as a target industry business under s.
154 288.106 or a designated sector under s. 288.108.

155 3.a. Have a cumulative investment of at least \$500 million
156 within a 3-year period; or

157 b. Have a cumulative investment that exceeds \$375 millior
158 within a 3-year period if the project is located in a rural
159 county or city, as defined in s. 288.106, or in an enterprise
160 zone.

161 (6) Enterprise Florida, Inc., shall evaluate proposals for
162 innovation incentive awards and forward recommendations for
163 awards to the office. Such evaluation and recommendation must
164 include, but need not be limited to:

165 (a) A description of the project, its required facilities,
166 and the product, service, or research and development associated
167 with the project.

168 (b) The number of full-time equivalent jobs that will be
169 created by the project, the total estimated average annual wages
170 of those jobs, and the types of business activities and jobs
171 likely to be stimulated by the project.

172 (c) The cumulative investment to be dedicated to the
173 project within 3 years and the total investment expected in the
174 project if more than 3 years.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

175 (d) The projected economic and fiscal impacts on the local
176 and state economies relative to investment.

177 (e) A statement of any special impacts the project is
178 expected to produce in a particular business sector in the state
179 or regional economy or in the state's universities and community
180 colleges.

181 (f) A statement of any anticipated or proposed
182 relationships with state universities.

183 (g) A statement of the role the incentive is expected to
184 play in the decision of the applicant to locate or expand in
185 this state.

186 (h) A recommendation and explanation of the amount of the
187 award needed to cause the applicant to expand or locate in this
188 state.

189 (i) A discussion of the efforts and commitments made by
190 the local community in which the project is to be located to
191 induce the applicant's location or expansion in light of local
192 resources and abilities.

193 (j) A recommendation for specific performance criteria the
194 applicant would be expected to achieve in order to receive
195 payments from the fund and penalties or sanctions for failure to
196 meet or maintain performance conditions.

197 (k) For a research and development facility, an evaluation
198 and recommendation must include:

199 1. A description of the extent to which the project has
200 the potential to serve as catalyst for an emerging or evolving
201 cluster;

202 2. The percentage of match provided for the project;

203 3. A description of the extent to which the project has or
204 could have a long-term collaborative research and development

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

205 relationship with one or more universities or community colleges
206 in this state;

207 4. A description of the existing or projected impact of
208 the project on established clusters or targeted industry
209 sectors;

210 5. A description of the project's contribution to the
211 diversity and resiliency of this state's innovation economy; and

212 6. A description of the project's impact on special-needs
213 communities, including, but not limited to, rural areas,
214 distressed urban areas, and enterprise zones.

215 (7) The office may, in consultation with Enterprise
216 Florida, Inc., negotiate the proposed amount of an award for any
217 applicant meeting the requirements of this section. In
218 negotiating such award, the office shall consider the amount of
219 the incentive needed to cause the applicant to locate or expand
220 in this state in conjunction with other relevant applicant
221 impact and cost information and analysis as outlined in this
222 section. Particular emphasis shall be given to the potential for
223 the project to stimulate additional private investment and high-
224 quality employment opportunities in the state.

225 (8) Upon receipt of the evaluation and recommendation from
226 Enterprise Florida, Inc., the director shall recommend the
227 approval or disapproval of an award to the Governor. In
228 recommending approval of an award, the director shall include
229 proposed performance conditions that the applicant must meet in
230 order to obtain incentive funds and any other conditions that
231 must be met before the receipt of any incentive funds. The
232 Governor shall consult with the President of the Senate and the
233 Speaker of the House of Representatives before giving approval
234 for an award. Upon approval of an award, the Executive Office of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

the Governor shall release the funds pursuant to the legislative consultation and review requirements set forth in s. 216.177.

(9) Upon approval by the Governor and release of the funds as set forth in subsection (8), the director shall issue a letter certifying the applicant as qualified for an award. The office and the applicant shall enter into an agreement that sets forth the conditions for payment of incentives. The agreement must include the total amount of funds awarded; the performance conditions that must be met to obtain the award or portions of the award, including, but not limited to, net new employment in the state, average wage, and total investment; demonstration of a baseline of current service and a measure of enhanced capability; the methodology for validating performance; the schedule of payments; and sanctions for failure to meet performance conditions.

(10) Enterprise Florida, Inc., shall assist the office in validating the performance of an innovation business or research and development facility that has received an award. At the conclusion of the innovation incentive award agreement, or its earlier termination, Enterprise Florida, Inc., shall, within 90 days, report the results of the innovation incentive award to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 2. For fiscal year 2006-07, \$250,000,000 is hereby appropriated from nonrecurring general revenue to the Governor's Office of Tourism, Trade, and Economic Development.

Notwithstanding s. 216.301 and pursuant to s. 216.351, any unexpended balance from this appropriation shall be carried forward at the end of each fiscal year until the 2010-11 fiscal year. At the end of the 2010-11 fiscal year, any obligated funds for qualified projects that are not yet disbursed shall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

266 remain to be used for the purposes of this act. Any unobligated
267 funds of this appropriation shall revert to the unallocated
268 general revenue fund at the end of the 2010-11 fiscal year.

269 Section 3. New subsection (16) of s. 403.973, Florida
270 Statutes, is created, and present subsections (16) through (19)
271 are renumbered as subsections (17) through (20).

272 (16) The office, working with the agencies participating
273 in the memoranda of agreement, shall review sites proposed for
274 the location of facilities eligible for the Innovation Incentive
275 Program under s. 288.1089. Within 20 days of the request for the
276 review by the office, the agencies will provide to the office a
277 statement as to each site's necessary permits under local, state
278 and federal law and an identification of significant permitting
279 issues, which if unresolved, may result in the denial of an
280 agency permit or approval or any significant delay caused by the
281 permitting process.

282 Section 5. This act shall take effect July 1, 2006.

283
284 ===== T I T L E A M E N D M E N T =====

285 Remove the entire title and insert:

286 A bill to be entitled

287 An act relating to the innovation incentives; creating s.
288 288.1089, F.S.; creating the Innovation Incentive Program
289 within the Office of Tourism, Trade, and Economic
290 Development for certain purposes; providing definitions;
291 providing an incentive-award limitation; providing for
292 award application and eligibility; providing qualification
293 requirements; providing proposal evaluation and
294 recommendations requirements for Enterprise Florida, Inc.;
295 providing for negotiation of award amounts by the office;
296 providing for agreements for payments of certain moneys

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

under certain circumstances; providing criteria for award
approval or disapproval; providing for incentive payment
agreements; requiring Enterprise Florida, Inc., to assist
the office in validating certain business performances;
requiring a report to the Governor and Legislature;
authorizing the office to allocate certain funds for
certain purposes; providing appropriations; effectuating a
fund transfer; providing for future expiration of the act;
amending s. 403.973, F.S.; providing for review of
possible sites for projects funded under s. 288.1089;
providing an effective date.

COMMITTEE MEETING REPORT

Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1285 : Public Records Exemptions

<input checked="" type="checkbox"/> <i>Favorable</i>					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall		X			
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack		X			
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice		X			
Frank Peterman		X			
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 6 Total Nays: 4					

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1311 : Qualified Job Training Organizations

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 10		Total Nays: 0			

HB 1311 Amendments

Amendment 1 - Conforming amendment

☒ Adopted Without Objection

Amendment 2 - Conforming amendment

☒ Adopted Without Objection


Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. **HB 1311**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N) 
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Development, Trade &
2 Banking Committee
3 Representative(s) Troutman offered the following:
4

5 **Amendment**

6 On line(s) 40, after the period insert:

7 After certification, the Office of Tourism, Trade, and Economic
8 Development may release the funds pursuant to a contract with
9 the qualified job training organization. The contract must
10 address the performance conditions and sanctions for failure to
11 meet the performance conditions and must require that salaries
12 paid to officers and employees of the qualified job training
13 organization comply with section 4958 of the Internal Revenue
14 Code of 1986, as amended.
15

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (2)

Bill No. 1311

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



Council/Committee hearing bill: Economic Development, Trade and
Banking
Representative(s) Troutman offered the following:

Amendment (with title amendment)

Remove line(s) 46-52 and renumber subsequent subsections.

===== T I T L E A M E N D M E N T =====

Remove line(s) 8-9 and insert:
specifying uses of the funds;

000000

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1467 : Capital Formation

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean			X		
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 10 Total Nays: 0					

HB 1467 Amendments

Amendment 1 - Technical amendment

☒ Adopted Without Objection

Amendment 2 - Clarifying amendment

☒ Adopted Without Objection

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. **HB 1467**

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

(A)

1 Council/Committee hearing bill: Economic Development, Trade &
2 Banking Committee

3 Representative(s) Grant offered the following:

4
5 **Amendment**

6 Remove line(s) 170-173.
7
8
9

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (2)

Bill No. **HB 1467**

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>✓</u>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

(A)

1 Council/Committee hearing bill: Economic Development, Trade &
2 Banking Committee
3 Representative(s) Grant offered the following:
4

Amendment

5
6 On line 328, before the period insert:
7 such that the amount invested in a Florida entity by the
8 receiving venture capital fund is at least twice the amount
9 invested by the corporation
10
11

000000

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

HB 1469 : Public Records

☒ *Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Aaron Bean			X		
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert			X		
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 10 Total Nays: 0					

HB 1469 Amendments

Amendment 1 - Strike all amendment

☒ Adopted Without Objection

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. 1469

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER —

(A)

Council/Committee hearing bill: Economic Development, Trade and Banking

Representative(s) Grant offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 298.96275, Florida Statutes, is created to read:

288.96275 Trade secret information; identification and performance information; public records exemption.--A trade secret, as defined in s. 688.002, held by the Florida Opportunity Fund is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Tax identification numbers, analyses of gross receipts, the amount of taxes paid, the amount of capital investment, the amount of employee wages paid, and the detailed documentation to substantiate such performance information included in portfolio data pertaining to specific companies within the portfolios of venture capital funds receiving investment from the Florida Opportunity Fund is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This section is subject to the Open Government Sunset Review Act in accordance

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

23 with s. 119.15 and shall stand repealed on October 2, 2011,
24 unless reviewed and saved from repeal through reenactment by the
25 Legislature.

26 Section 2. The Legislature finds that it is a public
27 necessity that a trade secret, as defined in the Uniform Trade
28 Secrets Act, held by the Florida Opportunity Fund be held
29 confidential and exempt from s. 119.07(1), Florida Statutes, and
30 s. 24(a), Art. I of the State Constitution. In addition, the
31 Legislature finds that it is a public necessity that tax
32 identification numbers, analyses of gross receipts, amount of
33 taxes paid, amount of capital investment, amount of employee
34 wages paid, and detailed documentation to substantiate such
35 performance information included in portfolio data pertaining to
36 specific companies within the portfolios of venture capital
37 funds receiving investment from the Florida Opportunity Fund be
38 held confidential and exempt from s. 119.07(1), Florida
39 Statutes, and s. 24(a), Art. I of the State Constitution. The
40 disclosure of information concerning businesses that is obtained
41 through the administration of the Florida Opportunity Fund under
42 ss. 288.996-.9628, Florida Statutes, the "Florida Capital
43 Formation Act," could injure a business in the marketplace by
44 providing its competitors with detailed insights into the
45 financial status and the strategic plans of the business,
46 thereby diminishing the advantage that the business maintains
47 over those that do not possess such information. Without this
48 exemption, private sector businesses, whose records generally
49 are not required to be open to the public, might refrain from
50 participating in the economic development program, and thus
51 would not be able to use the incentives available under the
52 program. If a business were unable to use the incentives, the
53 business might choose not to invest venture capital in the State

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

54 of Florida, depriving the state and the public of the potential
55 economic benefits associated with such investment activities in
56 this state. The harm to businesses in the marketplace and to the
57 effective administration of the economic development program
58 caused by the public disclosure of such information far
59 outweighs the public benefits derived from its release.

60 Section 3. This act shall take effect July 1, 2006, if
61 House Bill 1467 or similar legislation is adopted in the same
62 legislative session or an extension thereof and becomes law.
63
64

65 ===== T I T L E A M E N D M E N T =====

66 Remove the entire title and insert:

67 A bill to be entitled

68 An act relating to public records; creating s. 288.96275,
69 F.S.; providing an exemption from public records
70 requirements for information held by the Florida
71 Opportunity Fund that is a trade secret; providing an
72 exemption from public records requirements for tax
73 identification numbers, analyses of gross receipts, amount
74 of taxes paid, amount of capital investment, amount of
75 employee wages paid, and detailed documentation to
76 substantiate such performance information included in
77 portfolio data pertaining to specific companies within the
78 portfolios of venture capital funds receiving investment
79 from the Florida Opportunity Fund; providing for review
80 and repeal; providing a statement of public necessity;
81 providing a contingent effective date.
82

COMMITTEE MEETING REPORT
Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

PCB EDTB 06-05 : Oil & Gas Drilling

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert	X				
Michael Grant	X				
Adam Hasner				X	
Charlie Justice	X				
Frank Peterman	X				
John Quinones	X				
Ken Sorensen			X		
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
Total Yeas: 12 Total Nays: 0					

PCB EDTB 06-05 Amendments

Amendment 1 - Strike all amendment

☒ Adopted Without Objection

Appearances:

Oil & Gas Drilling

David Mica (Lobbyist) - Opponent

Florida Petroleum Council

215 S. Monroe St.

Tallahassee FL 32301

Phone: 850-561-6300

Oil & Gas Drilling

David Simmons (State Employee) - Information Only

Judiciary Committee, Chair

1301 The Capitol 402 S. Monroe St.

Tallahassee FL 32399

Phone: 850-487-1345

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. PCB EDTB 06-05

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

(A)

1 Council/Committee hearing bill: Economic Development, Trade &
2 Banking Committee
3 Representative(s) Bilirakis offered the following:
4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 377.061, Florida Statutes, is created
8 to read:

9 377.061 Prohibition on exploration for and production of
10 oil, gas, or other petroleum products.--

11 (1) It is the policy of this state that the exploration
12 for and production of oil, gas, or other petroleum products in
13 the sovereignty submerged lands and waterways over which the
14 state has jurisdiction or control, now or in the future, be
15 prohibited.

16 (2) No Outer Continental Shelf energy activity, as that
17 term is defined under section 1453 of the Coastal Zone
18 Management Act of 1972, as amended, shall be permitted by this
19 state.

20 (3) The provisions of this section shall be submitted by
21 the Florida Department of Environmental Protection to the
22 Department of Commerce pursuant to the Coastal Zone Management

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

23 Act of 1972, as amended, to be made part of the state's coastal
24 zone management program under Chapter 380, within six months of
25 the effective date of this act.

26 (4) No state agency or local government shall approve any
27 license, permit, activity or project that violates this section.

28 Section 2. This act shall take effect July 1, 2006.
29
30

31 ===== T I T L E A M E N D M E N T =====

32 Remove everything before the enacting clause and insert:

33 A bill to be entitled

34 An act relating to oil and gas drilling; creating s.
35 377.061, F.S.; prohibiting activities associated with the
36 exploration for and production of oil, gas, or other
37 petroleum products in sovereignty submerged lands and
38 waterways; prohibiting Outer Continental Shelf energy
39 activities; including the provisions of this act in the
40 state coastal zone management plan; requiring the
41 Department of Environmental Protection to file the plan
42 with the United States Department of Commerce; prohibiting
43 the approval of any license, permit or activity violating
44 this act; providing an effective date.
45

46 WHEREAS, the state of Florida comprises 2,276 miles of
47 tidal shoreline, and 8,426 miles of detailed tidal shoreline,
48 and

49 WHEREAS, sand beaches comprise 1,350 miles of coastline,
50 and

51 WHEREAS, in 2004, 13 million residents of Florida lived
52 along the coastline, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

53 WHEREAS, the tourism industry attracted 79.7 million
54 tourists to Florida, who spent \$57 billion and generated \$3.4
55 billion of tax revenues in 2004, and

56 WHEREAS, tourists are attracted to Florida by virtue of its
57 pristine beaches, waterways and coastal recreational activities,
58 and

59 WHEREAS, saltwater fishing contributed \$5.8 billion and
60 59,418 jobs to Florida in 2005, and

61 WHEREAS, the commercial fishing industry generated an
62 estimated \$562 million of revenue and provided 9,787 jobs to
63 Florida in 2005, and

64 WHEREAS, Florida has more seafood processing plants than
65 any other state and the seafood processing industry shipped \$614
66 million worth of products and provided 3,108 jobs statewide in
67 2005, and

68 WHEREAS, Florida fishermen catch more than 90 percent of
69 the nation's supply of grouper, pompano, mullet, stone crab,
70 pink shrimp, spiny lobsters, and Spanish mackerel, and

71 WHEREAS, the value of Florida aquaculture sales ranks third
72 in the nation and reached \$95.5 million in 2003, and

73 WHEREAS, the total economic impact of the Florida's seafood
74 harvest is more than \$1 billion annually, and creates more than
75 20,000 full-time and 10,000 part-time jobs, and

76 WHEREAS, the coral reef found in Key West is the third
77 largest in the world, and the largest in North America, and

78 WHEREAS, oil and gas drilling would potentially damage or
79 destroy living bottom communities, beaches, coastal barrier
80 islands, wetlands, seagrass beds, mangroves, corals, and animal
81 life, and

82 WHEREAS, such damage would result from pipeline placement,
83 increased barge and tanker traffic, construction of supporting

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

84 facilities, discharge of trash and debris, and rig construction
85 and removal, and

86 WHEREAS, the release of hydrocarbons, chrome, lead, barium,
87 cadmium, copper, antimony, arsenic, mercury and other toxic
88 chemicals would result from the discharge of drilling muds,
89 production waters, and oil or gas, and

90 WHEREAS, the chemicals released into the environment from
91 these discharges are virtually non-recoverable and are extremely
92 toxic, and

93 WHEREAS, the Legislature declares that the state has a
94 vital interest and responsibility to protect its citizens,
95 coastal areas, natural wildlife, and economy, and

96 WHEREAS, the Legislature further declares that the
97 possibility for spillage of oil or any other pollutant as a
98 result of the activities associated with the exploration and
99 production of oil, gas, or other petroleum products in certain
100 lands and waters surrounding the state constitutes a grave
101 threat to the health and welfare of the state's citizens,
102 coastal areas, natural wildlife, and economy, and

103 WHEREAS, the Legislature finds that despite any safeguards
104 that could be imposed on the activities associated with the
105 exploration and production of oil, gas, or other petroleum
106 products from certain lands and waters surrounding the state,
107 the potential serious harm caused by these activities cannot be
108 eliminated, and

109 WHEREAS, the possibility of an oil spill cannot be
110 eliminated and pollution from an oil spill would be catastrophic
111 to the citizens, coastal areas, natural wildlife, and economy of
112 this state, NOW, THEREFORE,
113

COMMITTEE MEETING REPORT

Economic Development, Trade & Banking Committee

3/30/2006 9:45:00AM

Location: 306 HOB

Summary:

Economic Development, Trade & Banking Committee

Thursday March 30, 2006 09:45 am

HB 69 CS Favorable

Yeas: 10 Nays: 0

HB 1079 **Favorable With Committee Substitute**

Yeas: 10 Nays: 0

Amendment 1 Adopted Without Objection

HB 1283 Favorable With Committee Substitute

Yeas: 6 Nays: 4

Amendment 1 Adopted Without Objection

HB 1285 Favorable

Yeas: 6 Nays: 4

HB 1311 Favorable With Committee Substitute

Years: 10 Nays: 0

Amendment 1 Adopted Without Objection

Amendment 2 Adopted Without Objection

HB 1467 Favorable With Committee Substitute

Years: 10 Nays: 0

Amendment 1 Adopted Without Objection

Amendment 2 Adopted Without Objection

HB 1469 Favorable With Committee Substitute

Years: 10 Nays: 0

Amendment 1 Adopted Without Objection

PCB EDTB 06-05 Favorable With Committee Substitute

Yeas: 12 Nays: 0

Amendment 1 Adopted Without Objection

Committee meeting was reported out: Thursday, March 30, 2006 12:31:21PM